

May 21, 2010

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
May 21, 2010

I. OPENING OF MEETING AT 1:00 P.M. AT 400 W. MONROE STREET, SUITE 306, SPRINGFIELD, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 16, 2010

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD APRIL 16, 2010?

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	142.....	10
Agriculture	429.....	16
Arts Council.....	19.....	2
Capitol Development Board	45.....	0
Central Management Services	1,409.....	115
Children and Family Services	3,022.....	48
Civil Service Commission	4.....	0
Commerce & Economic Opportunity	419.....	68
Commerce Commission.....	71.....	0
Corrections.....	11,206.....	104
Criminal Justice Authority.....	59.....	5
Deaf and Hard of Hearing Comm.	7.....	1
Developmental Disabilities Council	10.....	1
Emergency Management Agency	93.....	6
Employment Security.....	1,970.....	29
Environmental Protection Agency	924.....	17
Financial & Professional Regulation	492.....	41
Gaming Board.....	80.....	5
Guardianship and Advocacy	111.....	7
Healthcare and Family Services.....	2,296.....	26
Historic Preservation Agency	200.....	11
Human Rights Commission	14.....	2
Human Rights Department	146.....	9
Human Services	13,806.....	75
Insurance.....	232.....	9
Investment Board.....	3.....	1
Juvenile Justice	1,226.....	20
Labor.....	82.....	7
Labor Relations Board Educational	12.....	2
Labor Relations Board State	18.....	2
Law Enforcement Training & Standards Bd.....	17.....	2
Medical District Commission	2.....	0
Military Affairs	121.....	3
Natural Resources	1,270.....	25
Pollution Control Board.....	20.....	1
Prisoner Review Board	20.....	0
Property Tax Appeal Board	21.....	1
Public Health.....	1,084.....	43
Racing Board	2.....	0
Revenue	2,020.....	61
State Fire Marshal.....	138.....	12
State Police	1,330.....	6
State Police Merit Board.....	6.....	1
State Retirement Systems	82.....	2
Transportation.....	2,308.....	0
Veterans' Affairs.....	1,186.....	7
Workers' Compensation Commission	173.....	8
TOTALS	48,347.....	811

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Dept. of Financial and Professional Regulation – Proposed Exemption

Position Number	40070-13-40-700-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Cemetery and Funeral Oversight
Functional Title	Deputy Director of the Cemetery & Funeral Oversight Program
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-66-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Developmental Disabilities
Functional Title	Deputy Director of the Bureau of Clinical Services for the Division of Developmental Disabilities
Incumbent	Vacant
Supervisor	Director of Developmental Disabilities who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E1. Illinois Department of Natural Resources – Proposed Exemption

Position Number	40070-12-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Deputy Director
Incumbent	Vacant
Supervisor	Director
Location	Franklin County

E2. Illinois Department of Natural Resources – Proposed Exemption

Position Number	40070-12-00-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Manager of the Illinois Coastal Zone Program
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “These positions meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Proposed rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission

On April 20, 2010, the Executive Director sent notice to Central Management Services and each agency of the proposed rescission of the following 4d(3) exempt positions which may no longer meet the requirements for exemption. Section 1.142 (b) of the Commission Rules also provides that rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency.

#	Agency	Position Number	Functional Title
F1	Child & Family	40070-16-18-000-00-01	Deputy Director-Child Protection
F2	Commerce & Economic Op.	40070-42-60-000-05-01	Asst. Dep. Dir.-Technology & Industrial Competitiveness
F3	Corrections	40070-29-64-200-00-01	Asst. Warden Prog.-Thomson
F4	Corrections	40070-29-64-300-00-01	Asst. Warden Ops.-Thomson
F5	Fin & Prof Reg.	40070-13-20-400-00-01	Credit Unions
F6	Healthcare	40070-33-05-000-00-61	Chief, Healthcare Purchasing
F7	Historic Pres.	40070-48-54-000-00-01	ALPLM Manager of Guest Services
F8	Historic Pres.	40070-48-55-000-00-01	ALPLM Manager of Museum Programs
F9	Human Rights	40070-49-00-000-01-02	ICED Director
F10	Human Services	40070-10-76-000-30-01	Manager-Admin Services Organization Contracts
F11	Juvenile Justice	40070-27-00-200-00-01	Deputy Director-Division of Program Services
F12	Natural Res.	40070-12-04-000-00-01	Ex. Dir., World Shooting
F13	Revenue	40070-25-00-000-20-01	Chief of Labor Relations

#	Agency	Position Number	Functional Title
F14	Revenue	40070-25-50-000-00-01	Manager, Tax Enforcement
F15	Revenue	40070-25-90-000-01-01	Associate Director
F16	Shared Services Center	40070-25-44-200-00-01	Administrative & Regulatory SSC, CFO of Strategic Processes
F17	State Police	40070-21-11-000-00-01	Director of Human Resources

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C: Deputy Director of the Cemetery and Funeral Oversight Program**
- D: Deputy Director of the Bureau of Clinical Services for the Division of Developmental Disabilities**
- E1: Deputy Director of the Illinois Department of Natural Resources**
- E2: Manager of the Illinois Coastal Zone Program**

WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- F1: Deputy Director, Child Protection (DCFS)**
- F2: Asst. Deputy Director, Technology & Industrial Competitiveness (DCEO)**
- F3: Assistant Warden of Programs, Thomson (DOC)**
- F4: Assistant Warden of Operations, Thomson (DOC)**
- F5: Credit Unions Manager (FPR)**
- F6: Chief, Healthcare Purchasing (HFS)**
- F7: ALPLM Manager of Guest Services (HPA)**
- F8: ALPLM Manager of Museum Programs (HPA)**
- F9: ICED Director (DHR)**
- F10: Manager, Administrative Services Organization Contracts (DHS)**
- F11: Deputy Director, Division of Program Services, (DJJ)**
- F12: Executive Director, World Shooting Complex (DNR)**
- F13: Chief of Labor Relations (DOR)**
- F14: Manager, Tax Enforcement (DOR)**
- F15: Associate Director (DOR)**
- F16: CFO of Strategic Processes, (A&R SSC)**
- F17: Director of Human Resources (ISP)**

V. CONSIDERATION OF THE STATUS OF PRIVATE SECRETARIES EXEMPT FROM JURISDICTION B OF THE PERSONNEL CODE

May 21, 2010

VI. CLASS SPECIFICATIONS

None submitted.

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	3/31/10	4/30/10	4/30/09
Aging	1	1	1
Central Management Services	0	0	2
Children and Family Services	2	6	9
Criminal Justice Authority	0	0	1
Employment Security	2	3	3
Healthcare and Family Services	2	1	17
Historic Preservation Agency	1	1	0
Human Services	0	2	1
Law Enforcement Training Standards Board	0	0	1
Natural Resources	1	1	0
Property Tax Appeal Board	0	1	0
Transportation	10	0	3
Veterans' Affairs	0	0	2
Workers' Compensation Commission	0	0	1
Totals	19	16	41

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• DISCHARGE

DA-9-10

Employee	Rex DeLa Cruz	Appeal Date	09/17/09
Agency	DHS	Decision Date	05/07/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct unbecoming	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

• DISCHARGE

DA-15-10

Employee	Bonnie Camacho	Appeal Date	10/30/09
Agency	DHS	Decision Date	05/07/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Neglect of duty	Proposal for Decision	Charges are proven and warrant 60-day suspension.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

• RULE VIOLATION

RV-37-10

Employee	Gina Yurevich	Appeal Date	02/05/10
Agency	DHS/CMS	Decision Date	04/02/10
Type	Rule Violation	ALJ	Andrew Barris
Allegation	Should have received 'full compensation' after reinstatement	Proposal for Decision	No violation on refusal to provide 'full compensation' after her reinstatement by Order of the Illinois Labor Relations Board; violation of Section 302.200 by changing Yurevich's continuous service date to 1/18/2010 from 9/17/2007.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

May 21, 2010

XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, June 18, 2010 at 11:00 a.m. in the Commission's Chicago office.

XIII. MOTION TO ADJOURN